UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/24049
30 May 1992

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 4 OF SECURITY COUNCIL RESOLUTION 752 (1992)

INTRODUCTION

1. The present report is submitted to the Security Council pursuant to paragraph 4 of Security Council resolution 752 (1992), in which the Council demanded that all units of the Yugoslav People's Army (JNA) and elements of the Croatian Army now in Bosnia and Herzegovina must either be withdrawn, or be subject to the authority of the Government of Bosnia and Herzegovina, or be disbanded and disarmed with their weapons placed under effective international monitoring; and requested the Secretary-General to consider without delay what international assistance could be provided in this connection.

I. BACKGROUND

2. On 26 April 1992, President Izetbegovic of Bosnia and Herzegovina met at Skopje with General Blagoje Adzic, Chief of Staff of JNA and Acting Federal Secretary for Defence, and Mr. Branko Kostic, Vice-President of the Federal Presidency in Belgrade, to define the role of JNA in Bosnia and Herzegovina and its eventual withdrawal. This meeting did not produce a definitive agreement and the Belgrade authorities on 4 May announced their decision to withdraw from Bosnia and Herzegovina by 18 May all JNA personnel who were not citizens of that Republic. On 13 May, Vice-President Kostic proposed to President Izetbegovic that the talks be resumed with the participation of representatives of the Bosnian Serb and Croat communities. On the same day, authorities of the so-called "Serbian Republic of Bosnia and Herzegovina" announced their decision to form their own army, which would be composed of units of the former JNA based in Bosnia and Herzegovina, and appointed General Ratko Mladic as Commander of that army.

3. On 17 May, I received a letter from Admiral Milosav Simic, Chief of General Staff of JNA, requesting assistance in the safe withdrawal of JNA troops from Bosnia and Herzegovina and particularly from Sarajevo, Pazaric and Zenica. The letter referred, inter alia, to an agreement signed on 10 May 1992 at the premises of the United Nations Protection Force in

Yugoslavia (UNPROFOR) at Sarajevo by representatives of the Presidency of Bosnia and Herzegovina, JNA, the European Community Monitoring Mission and the personal envoy of Lord Carrington, Mr. Colm Doyle. On 21 May, Vice-President Kostic again wrote to ask me to request President Izetbegovic to order the deblocking of the JNA garrisons at Sarajevo. On 25 May 1992, I received a letter from President Izetbegovic in which, inter alia, he requested that UNPROFOR should supervise the withdrawal of part of the JNA personnel and weapons, in accordance with the agreement of 10 May 1992.

4. I have sought, through UNPROFOR, information about the present status of JNA units and personnel in Bosnia and Herzegovina. Given the considerable restrictions on UNPROFOR freedom of movement in Sarajevo and elsewhere in the Republic, and the consequent lack of an independent information-gathering capacity, it has not been possible to obtain completely authenticated information, but the situation seems to be as described in the following two paragraphs.

5. The bulk of the JNA personnel who were deployed in Bosnia and Herzegovina were citizens of that Republic and were not therefore covered by the Belgrade authorities' decision of 4 May to withdraw JNA from Bosnia and Herzegovina. Most of them appear to have joined the army of the so-called "Serbian Republic of Bosnia and Herzegovina". Others have joined the Territorial Defence of Bosnia and Herzegovina, which is under the political control of the Presidency of that Republic. Others may have joined various irregular forces operating there.

6. Those who are not citizens of Bosnia and Herzegovina are said by the Belgrade authorities to number barely 20 per cent of the total. Most of these are believed to have withdrawn already into Serbia or Montenegro, some of them having been subjected to attack during their withdrawal. Others however remain at various garrisons in Bosnia and Herzegovina, especially in Serb-controlled areas, including two installations on the outskirts of Sarajevo. A further category consists of personnel who have been blockaded in their barracks by the Territorial Defence of Bosnia and Herzegovina or hostile irregular forces. These are now mostly in the Sarajevo area, where the latest developments have been as follows:

(a) Some 600 to 1,000 soldiers are blocked in the Marshal Tito Barracks at Sarajevo, with nearly 200 vehicles. Negotiations on the evacuation of these barracks continued until 27 May 1992, when they broke down following a mortar attack which killed some 16 civilians in central Sarajevo. On 30 May 1992, the barracks came under attack from rocket-propelled grenades and flame-throwers fired by the Territorial Defence of Bosnia and Herzegovina;

(b) Several hundred JNA personnel from Jusuf Dzonlic Barracks, a logistic base at Sarajevo, and Victor Bubanja Barracks were in the process of withdrawing from Sarajevo during the night of 27/28 May 1992. The convoy, which was being accompanied by UNPROFOR, was attacked by Serb irregulars opposed to the terms of their withdrawal and by units of the Territorial Defence of Bosnia and Herzegovina, and lost its way. Some elements became

separated from the rest; 30 JNA vehicles and their drivers went missing and at least 1 soldier was killed;

(c) Several hundred JNA cadets, mainly between 14 and 17 years of age, who were blockaded in Pazaric, some 15 kilometres south of Sarajevo, were evacuated on 29 May.

7. It will be apparent from the foregoing that the issue of the deblocking and safe withdrawal of the remaining JNA troops from their barracks at Bosnia and Herzegovina has become linked to other problems which have caused continuing conflict in that Republic and has in particular been complicated by problems relating to the withdrawal of heavy weapons from these barracks and from Bosnia and Herzegovina. UNPROFOR has received indications that the JNA leadership in Belgrade is willing to leave the bulk of its weapons behind upon withdrawal, but the leadership of the army of the "Serbian Republic of Bosnia and Herzegovina" is unwilling to permit this.

8. Uncertainty about who exercises political control over the Serb forces in Bosnia and Herzegovina has further complicated the situation. The Bosnia and Herzegovina Presidency had initially been reluctant to engage in talks on these and other issues with the leadership of the "Serbian Republic of Bosnia and Herzegovina" and insisted upon direct talks with the Belgrade authorities instead. A senior JNA representative from Belgrade, General Nedeljko Boskovic, has conducted discussions with the Bosnia and Herzegovina Presidency, but it has become clear that his word is not binding on the commander of the army of the "Serbian Republic of Bosnia and Herzegovina", General Mladic. Indeed, as indicated in paragraph 6 (b) above, Serb irregulars attacked a JNA convoy withdrawing from a barracks at Sarajevo on 28 May under arrangements negotiated by General Boskovic. It also appears that the heavy shelling of Sarajevo on the night of 28/29 May took place on the orders of General Mladic in direct contravention of instructions issued by General Boskovic and the JNA leadership in Belgrade.

9. Given the doubts that now exist about the ability of the authorities in Belgrade to influence General Mladic, who has left JNA, efforts have been made by UNPROFOR to appeal to him directly as well as through the political leadership of the "Serbian Republic of Bosnia and Herzegovina". As a result of these efforts General Mladic agreed on 30 May 1992 to stop the bombardment of Sarajevo. While it is my hope that the shelling of the city will not be resumed, it is also clear that the emergence of General Mladic and the forces under his command as independent actors apparently beyond the control of JNA greatly complicates the issues raised in paragraph 4 of Security Council resolution 752 (1992). President Izetbegovic has recently indicated to senior UNPROFOR officers at Sarajevo his willingness to deal with General Mladic but not with the political leadership of the "Serbian Republic of Bosnia and Herzegovina".

10. As regards the withdrawal of elements of the Croatian Army now in Bosnia and Herzegovina, information currently available in New York suggests that no such withdrawal has occurred. UNPROFOR has received reliable reports of

Croatian Army personnel, in uniform, operating within, and as part of, military formations in Bosnia and Herzegovina. The Croatian authorities have consistently taken the position that the Croatian soldiers in Bosnia and Herzegovina have left the Croatian Army and are not subject to its authority. International observers do not, however, doubt that portions of Bosnia and Herzegovina are under the control of Croatian military units, whether belonging to the local Territorial Defence, to paramilitary groups or to the Croatian Army. It is unclear in the circumstances how their withdrawal or disbandment, as required by the Council, can be achieved.

II. POSSIBLE INTERNATIONAL ASSISTANCE

11. Resolution 752 (1992) describes three possible alternatives for units of JNA and elements of the Croatian Army which are now in Bosnia and Herzegovina. They could either be withdrawn, or be subject to the authority of the Government of Bosnia and Herzegovina, or be disbanded and disarmed with their weapons placed under effective international monitoring.

12. International assistance could play a role in implementing each of these alternatives. However, the provision of such assistance would presuppose that the necessary agreements had been concluded and that they would be respected by all parties, especially of course the commanders of the units and elements concerned. Such agreements would need to specify clearly exactly which military personnel were deemed to be "units of JNA" or "elements of the Croatian Army". This could present difficulties, given both the Croatian position mentioned above and, especially, the Belgrade authorities' position that their decision to withdraw JNA personnel from Bosnia and Herzegovina does not relate to JNA personnel who are citizens of that Republic and over whom Belgrade no longer exercises constitutional authority. Those providing international assistance would also need to be given details, accepted by the principal parties, of the numbers, locations and armament of all troops to which the agreements applied.

13. The anomalous position of General Mladic and the forces under his command, who are subject neither to the authority of Belgrade nor to that of the Government of Bosnia and Herzegovina, will also need to be clarified in relation to any agreement. It is considered unrealistic to expect that the "Army of the Serbian Republic of Bosnia and Herzegovina" would be willing to place itself under the authority of the Government of Bosnia and Herzegovina. Agreement would instead need to be sought on the disarming and disbandment of this "Army", though this is likely to be feasible only in the context of an overall political agreement on constitutional arrangements for Bosnia and Herzegovina.

14. Provided that the necessary agreements were in place, international assistance could take various forms. It could, for instance, consist of monitoring and verifying implementation of such agreements as have been achieved. International military personnel could also be deployed to help build confidence as the troops concerned were assembled and then moved out of

Bosnia and Herzegovina or to the locations where they would pass under the Government's authority or be disbanded. This sort of assistance has been provided by United Nations military observers in a number of recent peace-keeping operations. It has, however, to be repeated that recent experience has indicated that less respect is shown for such an international presence in former Yugoslavia than in other situations where international observers have recently played a role.

15. In the case of the third option, disbanding and disarming, international assistance could extend beyond monitoring and verification. It could include a role in ensuring the security of the arms laid down by the disbanded units or elements, e.g., through a double lock system, with one lock being controlled by the Government of Bosnia and Herzegovina (which would, of course, have to be agreed by all the parties) and the other by the international organization concerned. Although it is not specifically mentioned in resolution 752 (1992), another possibility would be for international troops to undertake the immobilization and/or destruction of some or all of the weapons of the disbanded units or elements.

III. OBSERVATIONS

16. The above is a brief survey of how international assistance could be provided to the various processes envisaged in paragraph 4 of resolution 752 (1992). It assumes that those processes would be agreed voluntarily by those in political and operational control of the troops concerned and that the latter would carry out the orders they received. Otherwise, it is difficult to see how the solutions demanded by the Security Council could be achieved.

17. The Security Council's decision today to impose sanctions on the Federal Republic of Yugoslavia (Serbia and Montenegro) creates a new situation. It is not yet clear what implications this will have for the issues discussed in this report. But it is to be hoped that this manifestation of the international community's determination to end the fighting in Bosnia and Herzegovina will make it easier to negotiate the necessary agreements.